

UNITED STATES DISTRICT COURT
Northern District of Illinois
Eastern Division

JR

Dexter Harris Plaintiff,

Case No.: 1:18-CV-01820

v.

Honorable Gary Feinerman

Derek Coppes, et al. Defendant.**FILED**

APR 16 2019 LA

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Response to Defendant's dispositive motion of
their Summary Judgement request in regard to alleged
APA failures on Plaintiff's behalf.

1. When a civil rights action is brought and jurisdiction exists under 28 USCS and 1343, prior resort to state courts, even where a state remedy may be available, is not required, since federal remedies for violation of civil rights are supplementary to any remedy which may exist under state law. Thus, there is no doctrine of exhaustion of state judicial remedies applicable to civil rights actions in federal courts where jurisdiction is founded on 28 USCS and 1343, including actions brought under 42 USCS and 1983. Exhaustion of state judicial or administrative remedies is not required because of the paramount role Congress has assigned to the federal courts to protect Constitutional rights.
2. When the prisoner's claim is of a Constitutional due process violation relating to prison procedures that do not affect the length or duration of the sentence, or is a claim for

damages because of mistreatment Violative of
Constitutional Rights and relating strictly to the
Conditions of Confinement and not its fact or
duration, the suit may be maintained without
exhaustion of state remedies as a 42 USCS and 1983
action. Todd v Baskerville (1983, CA4 Va) 712 F2d 70.

Respectfully submitted,
Dupe Harris

4-8-19

Statenville - NRC

UNITED STATES DISTRICT COURT

Northern District of Illinois - Eastern Division

Dexter Harris

Plaintiff Petitioner

Vs.

Derek Coppes, et al.

Defendant Respondent

No. 18-18-cv-01820

PROOF CERTIFICATE OF SERVICE

TO: UNITED STATES DISTRICT
Court - Northern District of Illinois -
Eastern Division - CLERK OF
THE COURT - 219 S Dearborn St -
Chicago, IL 60604

TO: _____

TO: Lewis and Brellen - LLP
Attorneys at Law
175 N Jackson Blvd, Ste 950
Chicago, IL 60604

TO: _____

1. Attached is the Plaintiff's Response to Defendant's dispositive motion

2. _____

3. _____

4. _____

5. _____

PLEASE TAKE NOTICE that on April 8, 2019, I placed the attached or enclosed documents in the institutional mail at Stateville - NRC Correctional center, properly addressed to the parties listed above for mailing through the United States Postal Service.

Pursuant to 28 USC 1746, 18 USC 3601-3602, 735 ILCS 5/1-1.1, I declare under penalty of perjury, that I am a named party in the above action, that I have read the above documents, and that the information contained therein is true and correct to the best of my knowledge.

Dated:

7201

Signature: Dexter Harris

ID #: M18166

Address: P.O. Box 112

Chicago, IL 60606

Letter Harris # M19116
Joliet Correctional Center - NRC

P.O. Box 112
Joliet, IL 60436

2019 APR 16 AM 8:43

Legal Mail

UNITED STATES DISTRICT COURT
CLERK OF THE COURT
219 S. Dearborn St
Chicago, IL 60604



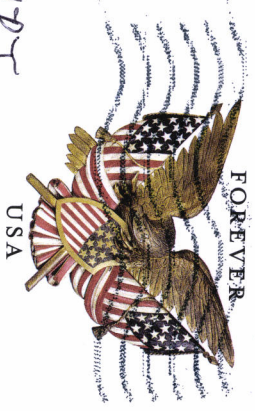
04/16/2019-3

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11 APR 2019 PM 4:1



THIS CORRESPONDENCE IS FROM
AN INMATE OF THE ILLINOIS
DEPARTMENT OF CORRECTIONS